

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GARY MONTGOMERY,

Plaintiff,

v.

WELLPATH MEDICAL et al.,

Defendants.

Case No. 3:19-cv-00675

Chief Judge Waverly D. Crenshaw, Jr.
Magistrate Judge Alistair E. Newbern

ORDER

This civil rights action arises from pro se Plaintiff Gary Montgomery's pretrial detention in the custody of the Davidson County Sheriff's Office. (Doc. No. 1.) Montgomery, who proceeds *in forma pauperis*, has filed an amended complaint asserting claims against Defendants Wellpath Medical, LLC; the Metropolitan Government of Nashville and Davidson County (Metro); Lieutenant Thomas Conrad, Correctional Officer Shannon Bell; Nurse Taylor Wall; Nurse Amber Dame; Nurse Dayna West; Nurse Mark Bailey; Dentist Krystal Lewis; and Dental Technician Jenny Jaynes. (Doc. No. 78.)

Wellpath, Metro, and Conrad, who were named in Montgomery's initial complaint and have already appeared in this action, have filed a joint motion requesting a screening of the amended complaint and an extension of time to file responsive pleadings. (Doc. No. 80.) That motion is GRANTED IN PART and DENIED IN PART as follows.

Wellpath, Metro, and Conrad are ORDERED to answer or otherwise respond to Montgomery's amended complaint by December 22, 2021.

Montgomery has not yet completed service packets for the other defendants named in his amended complaint: Bell, Wall, Dame, West, Bailey, Lewis, and Jaynes. The Clerk of Court is

DIRECTED to send Montgomery service packets (blank summonses and USM 285 forms) for these seven defendants.

Montgomery is ORDERED to complete service packets for Bell, Wall, Dame, West, Bailey, Lewis, and Jaynes¹ and return them to the Clerk's office by no later than December 29, 2021. Failure to do so may result in a recommendation that Montgomery's claims against these defendants be dismissed under Federal Rule of Civil Procedure 4(m).

It is so ORDERED.


ALISTAIR E. NEWBERN
United States Magistrate Judge

¹ The Court recognizes, as noted in an earlier order, that Montgomery may not know a current address where Jaynes may be served. (Doc. No. 71.) When Montgomery has completed and returned a service packet for Jaynes, the Court will direct the Clerk's office to issue a summons to Jaynes under seal and direct the U.S. Marshals Service to attempt service at Jaynes's last known address, which Wellpath has filed under seal. (Doc. No. 74.)